

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----In the Matter of---- )  
 )  
PUBLIC UTILITIES COMMISSION )  
 )  
Instituting a Proceeding to )  
Investigate Distributed Generation )  
In Hawaii. )  
\_\_\_\_\_ )

DOCKET NO. 03-0371

ORDER NO. 23746

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DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

Filed Oct. 19, 2007  
At 11 o'clock A .M.

Karen Higashi  
Chief Clerk of the Commission

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

Karen Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

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PUBLIC UTILITIES COMMISSION ) Docket No. 03-0371  
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Instituting a Proceeding to ) Order No. 23746  
Investigate Distributed Generation) )  
In Hawaii. )  
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ORDER

By this Order, the commission closes this docket.

I.

Background

A.

Docket No. 03-0371<sup>1</sup>

On January 27, 2006, the commission issued Decision and Order No. 22248, "set[ting] forth certain policies and principles for the deployment of distributed generation in Hawaii and certain guidelines and requirements for distributed generation, some of which will be further defined by tariff as approved by

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<sup>1</sup>The Parties are: (1) HAWAIIAN ELECTRIC COMPANY, INC., HAWAII ELECTRIC LIGHT COMPANY, INC., and MAUI ELECTRIC COMPANY, LIMITED (collectively, the "HECO Companies"); (2) KAUAI ISLAND UTILITY COOPERATIVE ("KIUC"); (3) the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"); (4) LIFE OF THE LAND; (5) HAWAII RENEWABLE ENERGY ALLIANCE ("HREA"); (6) HESS MICROGEN, LLC; and (7) the COUNTY OF MAUI. The COUNTY OF KAUAI is the sole participant.

the commission."<sup>2</sup> On April 6, 2006, the commission: (1) granted in part and denied in part the motion for clarification filed by the HECO Companies; and (2) denied the HECO Companies' motion for partial reconsideration.<sup>3</sup> As a result of Decision and Order No. 22248, as clarified by Order No. 23171, the HECO Companies and KIUC submitted their proposed interconnection and standby service tariffs for the commission's review and approval.

B.

Dockets No. 2006-0497 and No. 2006-0498

Based to a large extent on the commission's receipt of unsolicited comments from third-persons who were not parties or participants to this distributed generation proceeding (Docket No. 03-0371), the commission, on December 28, 2006, opened two new dockets to review and address the proposed tariffs filed by the HECO Companies (Docket No. 2006-0497) and KIUC (Docket No. 2006-0498), respectively, and the PURPA interconnection standards issue.<sup>4</sup>

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<sup>2</sup>Decision and Order No. 22248, filed on January 27, 2006, at 1.

<sup>3</sup>Order No. 23171, filed on December 28, 2006.

<sup>4</sup>In re Public Util. Comm'n, Docket No. 2006-0497, Order No. 23171, filed on December 28, 2006 (HECO Companies' proposed tariffs); and In re Public Util. Comm'n, Docket No. 2006-0498, Order No. 23172, filed on December 28, 2006. The term "PURPA interconnection standards" refers to the federal interconnection standards set forth in Section 2651(e)(15) of the Public Utility Regulatory Policies Act of 1978, as amended by the Energy Policy Act of 2005, which adopt by reference the Institute of Electrical and Electronics Engineers, Inc.'s Standard 1547, Standard of Interconnecting Distributed Resources with Electric Power Systems, "as they may be amended from time to time." 16 U.S.C. § 26210(d)(15).

In July 2007, the commission declined to adopt, at that time, the PURPA interconnection standards for the HECO Companies and KIUC, respectively.<sup>5</sup> Presently, the commission is reviewing the proposed interconnection tariffs recently filed by the stipulating parties in Dockets No. 2006-0497 and No. 2006-0498, and the parties in both dockets are continuing to explore the possibility of reaching a consensus on proposed standby service tariffs for the HECO Companies and KIUC, respectively.<sup>6</sup>

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The parties in Docket No. 2006-0497 are: (1) the HECO Companies; (2) the Consumer Advocate; (3) HREA; (4) CHAPEAU, INC., dba BLUEPOINT ENERGY, STARWOOD HOTELS AND RESORTS WORLDWIDE, INC., and HAWAII HEALTH SYSTEMS CORPORATION (collectively, the "BluePoint Energy Intervenors"); (5) JW MARRIOTT IHILANI RESORT & SPA, WAIKOLOA MARRIOTT BEACH RESORT & SPA, MAUI OCEAN CLUB, and WAILEA MARRIOTT (collectively, the "Marriott Intervenors"); (6) KAHALA SENIOR LIVING COMMUNITY, INC. ("Kahala SLC"); and (7) the UNITED STATES COMBINED HEAT AND POWER ASSOCIATION ("USCHPA").

The Parties in Docket No. 2006-0498 are: (1) KIUC; (2) the Consumer Advocate; (3) HREA; (4) the COUNTY OF KAUAI; (5) the BluePoint Energy Intervenors; and (6) MARRIOTT HOTELS SERVICES, INC., on behalf of KAUAI MARRIOTT RESORT & BEACH CLUB ("Kauai Marriott").

<sup>5</sup>Docket No. 2006-0497, Decision and Order No. 23562, filed on July 27, 2007 (PURPA interconnection standards, HECO Companies); and Docket No. 2006-0498, Decision and Order No. 23563, filed on July 27, 2007 (PURPA interconnection standards, KIUC).

<sup>6</sup>See Docket No. 2006-0497, Procedural Order No. 23634, filed on September 6, 2007 (standby service tariff, HECO Companies); and Order No. 23682, filed on September 26, 2007 (interconnection tariff, HECO Companies); and Docket No. 2006-0498, Order No. 23715, filed on October 12, 2007 (standby service tariff, KIUC); and Order No. 23630, filed on September 5, 2007 (interconnection tariff, KIUC).

II.

Discussion

The commission, in opening Dockets No. 2006-0497 and No. 2006-0498, found it more practical and efficient to review and address the proposed tariffs filed by the electric utilities in two separate proceedings, one for the HECO Companies (Docket No. 2006-0497) and the other for KIUC (Docket No. 2006-0498). Moreover, the opening of these new dockets provided interested persons with the opportunity to file timely motions to intervene in one or both proceedings for the purpose of providing formal input on the electric utilities' proposed tariffs.<sup>7</sup>

Here, the commission notes that Dockets No. 2006-0497 and No. 2006-0498, in effect, supersede Docket No. 03-0371. Under the circumstances, the commission finds it feasible to close Docket No. 03-0371.

III.

Orders

THE COMMISSION ORDERS:

This docket is closed unless otherwise ordered by the commission.

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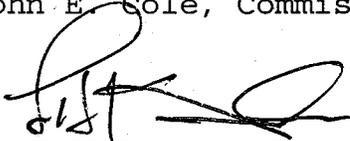
<sup>7</sup>The intervenors in Docket No. 2006-0497 are HREA, the BluePoint Energy Intervenors, the Marriott Intervenors, Kahala SLC, and USCHPA, while the intervenors in Docket No. 2006-0498 are HREA, the County of Kauai, the BluePoint Energy Intervenors, and Kauai Marriott. None of the movants were denied intervenor status in either docket.

DONE at Honolulu, Hawaii OCT 19 2007.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By (EXCUSED)  
John E. Sole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Michael Azama  
Commission Counsel

03-0371.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23746 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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DATED: OCT 19 2007